



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,351	12/05/2000	Tomohiko Teranishi	011350-265	6715

21839 7590 04/24/2007
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
----------	--------------

2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/729,351

Applicant(s)

TERANISHI ET AL.

Examiner

Michael Burleson

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 2-4, filed 03/19/2007, with respect to the rejection(s) of claim(s) 6-11 have been fully considered and are persuasive. Therefore, the final rejection of these claims has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sobue US 5610728.
2. With regards to Salgado, Applicant states that Salgado does not teach of images of various sizes, onto paper with a size equal to or larger than the detected maximum size. Examiner agrees with Applicant. Sobue teaches of a detecting device that detects a size of an image to be recorded and selects a sheet having a paper size corresponding to the size of the image detected (abstract and column 2, lines 23-30).
3. Applicant's arguments filed 03/19/2007, with respect to Kamijo JP 10174052 have been fully considered but they are not persuasive.
4. With regards to Kamijo, Applicant states that Kamijo teaches that all images are reduced by a different scaling factor that is determined from its size. Examiner disagrees with Applicant. Applicant refers to figure 2 and paragraph 0015 of Kamijo for support of this argument. In paragraph 0016, Kamijo states that based on figures 2a – 2d, the greatest former data and the minimum former data is extracted from this group of figures. Kamijo also states that in paragraph 0013 that all target images are reduced with the same compression coefficient and this is based on the maximum size extracted and the minimum size extracted (paragraph 0011).

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 10 and 11 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

1. Regarding claim 10, the claimed subject matter are computer program steps as evident in claim 11 of the current application. Since the method of claim 10 fails to meet subject matter eligibility (see 35 USC 101 guidelines pages 23 and 30), based on claim 11 of the current application, the subject matter in these claims is non-statutory.

Examiner suggests adding an output step (e.g., displaying or printing) provided that there is support in the applications specification.

2. Regarding claim 11, the claimed subject matter are merely computer program steps per se and hence non-statutory (35 USC 101 guidelines page 53). Examiner suggests – A computer readable medium, which stores computer-executable process steps --.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2625

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6-8,10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fumiaki Kamijo (hereby known as Kamijo) JP 10174052 in view of Sobue US 5610728.

3. Regarding claim 6, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

4. Kamijo fails to teach of selecting unit for selecting papers with a size equal to or larger than the detected maximum size; and a forming unit for forming all of said multiple document images of said individual print job on the selected papers respectively.

5. Sobue teaches of a central control unit (13) (column 2,lines 22-30, column 3,lines 17-22 and column 4,lines 41-45), which reads on selecting unit for selecting papers with

Art Unit: 2625

a size equal to or larger than the detected maximum size. Sobue teaches of a printer unit (2) (column 4, lines 8-12), which reads on a forming unit for forming all of said multiple document images of said individual print job on the selected papers respectively.

6. The apparatus of Kamijo could have been modified with the central control unit (13) and printer (2) of Sobue. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to record received images on a plurality of sizes of recording paper, as evident in Sobue, column 1, lines 12-15.

7. Regarding claim 7, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

8. Regarding claim 8, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on

multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

9. Kamijo fails to teach of the print area is the entire area of a sheet of paper.

10. Sobue teaches that all document images are processed on the selected documents (figure 5), which reads on print area is the entire area of a sheet of paper.

11. The apparatus of Kamijo could have been modified to make the print area is the entire area of a sheet of paper of Sobue. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to process large images as evident in figure 5 of Sobue.

12. Regarding claim 10, the structural elements of apparatus claim 7 performs all of the steps of method claim 10. Thus, claim 10 is rejected for the same reasons discussed in the rejection of claim 7.

13. Regarding claim 11, Although Kamijo does not claim a computer readable medium; it is well known that method applications are stored on a computer readable medium. The method of claim 7 performs all of the steps of claim 11. Thus, claim 11 is rejected for the same reasons discussed in the rejection of claim 7.

14. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Fumiaki Kamijo (hereby known as Kamijo) JP 10174052 in view of Moro US 5357348.

15. Regarding claim 9, Kamijo teaches of receiving pictures having various sizes and detecting the maximum size of the images (page 2, paragraph 009-0011), which reads on receiving unit for receiving an individual print job comprising image data based on multiple document images of various sizes and detecting unit for detecting a maximum size of the document images. Kamijo teaches of calculating a scale factor (page 2, paragraph 0011-0013 and 00221), which reads on calculating unit for calculating a scaling factor that causes the detected maximum size to match with the size of a print area. Kamijo teaches that the target images are reduced and an image is created and displayed (page 2, paragraph 0013), which reads on a processing unit for scaling up or down the sizes of the document images based on the calculated scaling factor and a forming unit for forming images based on the processed image data on the print area.

16. Kamijo fails to teach of the print area is an area obtained by dividing the entire area of a sheet of paper into equal parts.

17. Moro teaches that the copying sheets (105-109) are divided up into equal parts (figure 13 and column 10, lines 56-67), which reads on the print area is an area obtained by dividing the entire area of a sheet of paper into equal parts.

Art Unit: 2625

The apparatus of Kamijo could have been modified to divide the print area of a sheet of paper of Salgado et al. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to process large images.

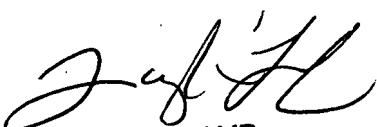
Conclusion

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached at (571) 272-7406.

Michael Burleson
Patent Examiner
Art Unit 2626



MIb
April 19, 2007



TWYLER LAMB
SUPERVISORY PATENT EXAMINER